

111TH CONGRESS
2D SESSION

S. 3702

To provide for the adjustment of status for certain long-term conditional residents.

IN THE SENATE OF THE UNITED STATES

AUGUST 4, 2010

Mr. SESSIONS introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To provide for the adjustment of status for certain long-term conditional residents.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. ADJUSTMENT OF STATUS.**

4 Section 245 of the Immigration and Nationality Act
5 (8 U.S.C. 1255) is amended by adding at the end the fol-
6 lowing:

7 “(n) ADJUSTMENT OF STATUS FOR ALIEN ENTRE-
8 PRENEURS.—

9 “(1) IN GENERAL.—The Secretary of Homeland
10 Security shall adjust the status of an alien described

1 in paragraph (2) to that of an alien lawfully admit-
 2 ted for permanent residency if the alien—

3 “(A) applies for such adjustment;

4 “(B) is physically present in the United
 5 States on the date on which the application for
 6 such adjustment is filed;

7 “(C) is admissible to the United States as
 8 an immigrant (except as provided in paragraph
 9 (3); and

10 “(D) pays the standard fee for applicants
 11 for adjustment of status under this section.

12 “(2) ALIENS ELIGIBLE FOR ADJUSTMENT OF
 13 STATUS.—An alien is described in this paragraph if
 14 the alien—

15 “(A) became a conditional resident under
 16 this section as an alien entrepreneur, alien
 17 spouse, or alien child (as such terms are defined
 18 in section 216A(f)) on or before December 31,
 19 1998;

20 “(B) filed an application to remove his or
 21 her conditional resident status on an I-829
 22 form on or before December 31, 2000, in ac-
 23 cordance with section 216A; and

24 “(C) had such form or a motion to reopen
 25 or reconsider the denial of such form pending

1 before the Department of Homeland Security as
2 of the date of the enactment of this subsection.

3 “(3) WAIVER OF CERTAIN GROUNDS FOR INAD-
4 MISSIBILITY.—

5 “(A) INAPPLICABLE PROVISIONS.—Para-
6 graphs (5) and (7)(A) of section 212(a) shall
7 not apply to an adjustment of status under this
8 subsection.

9 “(B) PERMISSIBLE WAIVERS.—The Sec-
10 retary of Homeland Security may waive any
11 other provision of section 212(a) (except for
12 paragraphs (2)(C) and (3)) with respect to an
13 adjustment of status under this subsection—

14 “(i) for humanitarian purposes;

15 “(ii) to assure family unity; or

16 “(iii) if such waiver is otherwise in the
17 public interest.”.

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